

SUBJECT: **DENIAL OF INITIAL EMT-I CERTIFICATION
OR RECERTIFICATION**

EMT
REFERENCE NO. 220

PURPOSE: To establish policies for the denial of initial certification or recertification

AUTHORITY: California Health and Safety Code, Division 2.5, Sections 1798.200, et seq.

California Government Code, Title 2, Division 3, Chapter 5, Sections 11507.6, 11507.7, 11513, and 11514.

California Code of Regulations, Title 22, Division 9, Chapter 2, Sections 100056, et seq. and Chapter 6 100201, et seq.

POLICY:

A. Denial of Certification or Recertification Standards

1. The basis for denying certification or recertification includes, but is not limited to, any of the following that apply:
 - a. Has committed any sexually related offense specified under Section 290 of the Penal Code.
 - b. Has been convicted of murder, attempted murder, or murder for hire.
 - c. Has been convicted of two or more felonies.
 - d. Is on parole or probation for any felony.
 - e. Has been convicted and released from incarceration for said offense during the preceding fifteen years for the crime of manslaughter or involuntary manslaughter.
 - f. Has been convicted and released from incarceration for said offense during the preceding ten years for any offense punishable as a felony.
 - g. Has been convicted of two misdemeanors within the preceding five years for any offense relating to the use, sale, possession, or transportation of narcotics or addictive or dangerous drugs.
 - h. Has been convicted of two misdemeanors within the preceding five years for any offense relating to force, violence, threat, or intimidation.
 - i. Has been convicted within the preceding five years of any theft related misdemeanor.
 - j. Has committed any act involving fraud or intentional dishonesty for personal gain within the preceding seven years.
 - k. Is required to register pursuant to Section 11590 (controlled substance offender) of the Health & Safety Code
 - l. Fraud in the procurement of any EMT-I certificate.
2. Policy section A 1 (above) shall not apply to convictions that have been pardoned by the governor, and shall only apply to convictions where the applicant/certificate holder was prosecuted as an adult. Equivalent convictions from other states shall apply to the type of offenses listed in policy section A 1 (above). As used in this policy, "felony" or "offense punishable as a felony" refers to an offense for which the law prescribes imprisonment in the state prison as either an alternative or the sole penalty, regardless of the sentence the particular defendant received.

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SUPERSEDES: 12-1-95

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APPROVED:


Director, EMS Agency


Medical Director, EMS Agency

3. Nothing in this section shall negate an individual's right to appeal the denial of a certificate or petition for reinstatement of a certificate pursuant to California Code of Regulations, Title 22, Chapter 6, Section 100201 et seq.

B. Revocation of EMT-I Certification

For the purposes of revocation of a certification, pursuant to Section 1798.200 of the Health and Safety Code, the basis for revoking an EMT-I certification includes but is not limited to A. 1, a through I, listed above.

C. Substantial Relationship Criteria for the Denial

1. For the purposes of discipline action affecting a certificate, pursuant to Section 1798.200 of the Health and Safety Code, a crime or act shall be considered to be substantially related to the qualifications, functions, or duties of an EMT-I if to a substantial degree it evidences present or potential unfitness of an EMT-I to perform the functions authorized by her/his certificate in a manner consistent with the public health and safety.
2. For the purposes of a crime, the record of conviction or a certified copy of the record shall be conclusive evidence of such conviction. "Conviction" means the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere.

D. Exception Criteria for Denial

1. At the discretion of the EMS Agency Medical Director, Los Angeles County EMS Agency may issue a certificate subject to specific provisional terms, conditions, and review. When considering the denial of a certificate pursuant to Section 1798.200 of the Health and Safety Code, or a petition for reinstatement or reduction of penalty under California Code of Regulations, Title 22, Chapter 6, Section 100201 et seq., the Los Angeles County EMS Agency Medical Director in evaluating the rehabilitation of the applicant and present eligibility for certification, shall consider the following criteria:
 - a. The nature and severity of the act(s) or crime(s).
 - b. Evidence of prior or subsequent relevant act(s) or crime(s) aggravating or mitigating evidence.
 - c. The time that has elapsed, without reoccurrence, since commission of the act(s) or crime(s).
 - d. The extent to which the person has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the person.
 - e. If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.
 - f. Evidence, if any, of rehabilitation.

E. Exception Criteria for Reinstatement

The Los Angeles County EMS Agency Medical Director may grant a certificate to anyone otherwise precluded under policy section A 1 of this policy if the Medical Director believes that extraordinary circumstances exist to warrant such an exemption, including but not limited to those listed above.

CROSS REFERENCES:

Prehospital Care Policy Manual:

Ref. No. 201, **Medical Management of Prehospital Care**

Ref. No. 214, **Base Hospital and Provider Agency Reporting Responsibilities**

Ref. No. 216, **EMT-I Certification Review Process**